



81408-4300

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND COMPOSITION FOR TREATMENT OF SKELETAL DYSPLASIAS

and for which a patent application:

☒ is attached hereto.

☒ which is identified by docket No. **81408-4300**

☐ was filed in the United States on _____ as Application No. _____ (declaration not accompanying application) with amendment(s) filed on _____ (if applicable)

☐ was filed as PCT international Application No. _____ on _____ and was amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|---|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED |
| 00142118 | Israel | March 20, 2001 | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

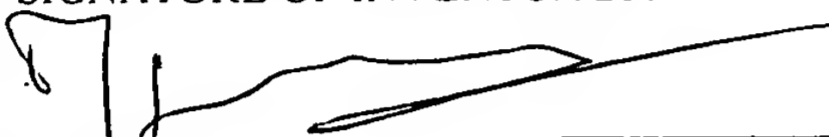
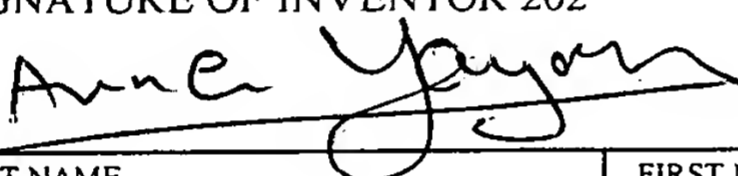
| PROVISIONAL APPLICATION NUMBER | FILING DATE |
|--------------------------------|----------------|
| 60/276,939 | March 20, 2001 |
| | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| NON-PROVISIONAL APPLICATION NO. | FILING DATE | STATUS | | |
|------------------------------------|----------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
| PCT/IL02/00229 | March 20, 2002 | | X | |
| | | | | |

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | | | | |
|-------------|---|--------------------------------------|---|---|--------------------------|
| 2 0 1 | FULL NAME OF INVENTOR | LAST NAME GOLEMBO | FIRST NAME Myriam | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY Israel | COUNTRY OF CITIZENSHIP Israel | |
| | POST OFFICE ADDRESS | STREET Moshav Netayim 113 | CITY | STATE OR COUNTRY Israel | ZIP CODE 76870 |
| | SIGNATURE OF INVENTOR 201  | | | DATE 16/12/03 | |
| 2 0 2 | FULL NAME OF INVENTOR | LAST NAME YAYON | FIRST NAME Avner | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY Israel | COUNTRY OF CITIZENSHIP Israel | |
| | POST OFFICE ADDRESS | STREET Moshav Sitria # 104 | CITY Israel | STATE OR COUNTRY Israel | ZIP CODE 76834 |
| | SIGNATURE OF INVENTOR 202  | | | DATE Dec. 16, 2003 | |
| 2 0 3 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| | SIGNATURE OF INVENTOR 203 | | | DATE | |
| 2 0 4 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| | SIGNATURE OF INVENTOR 204 | | | DATE | |
| 2 0 5 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| | SIGNATURE OF INVENTOR 205 | | | DATE | |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Myriam GOLEMBO et al.

Confirmation No.3940

Application No.: 10/664,605

Group Art Unit: 1646

Filing Date: September 15, 2003

Examiner:

For: METHOD AND COMPOSITION FOR
TREATMENT OF SKELETAL DYSPLASIAS

Attorney Docket No.: 81408-4300

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.27(a)(2) - Small Business Concern]

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act
in behalf of the concern identified below:

PROCHON BIOTECH LTD.
2 Holzman Street
Weizmann Science Park
P.O. Box 1482
76114 Rehovot
Israel

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.27(a)(2), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor(s) to convey rights to the small business concern with regard to the invention entitled:
METHOD AND COMPOSITION FOR TREATMENT OF SKELETAL DYSPLASIAS by
Myriam GOLEMBO and **Avner YAYON**, described in Application No. 10/664,605 filed
September 15, 2003.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

FULL NAME: _____
ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.27 (g)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

| | | |
|-------------------------|---|--|
| Send correspondence to: | Allan A. Fanucci WINSTON & STRAWN 200 Park Avenue New York, NY 10166-491 | Direct Telephone calls to: WINSTON & STRAWN 212-294-3311 |
|-------------------------|---|--|

Name of Person Signing: Amer Yayon

Title other than Owner: CEO, CSD Prochon Biotech

Address of Signer: **PROCHON BIOTECH LTD.**
2 Holzman Street
Weizmann Science Park
P.O. Box 1482
76114 Rehovot
Israel

Signature: Amer Yayon

Date: February 23, 2004

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Myriam GOLEMBO et al.

Confirmation No.:

Application No.: To be assigned

Group Art Unit:

Filing Date: September 15, 2003

Examiner:

For: METHOD AND COMPOSITION FOR
TREATMENT OF SKELETAL DYSPLASIAS

Attorney Docket No.: 81408-4300

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Allan A. Fanucci (Reg. No. 30,256) and Daniel J. Hulseberg (Reg. No. 36,554) of WINSTON & STRAWN LLP (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence for this application to Customer No. 28765 to the attention of Allan A. Fanucci (telephone 212-294-3311, facsimile 212-294-4700).

An assignment of the entire interest in the above-identified subject application is submitted herewith for recording and a copy is attached. The undersigned has reviewed this assignment and, to the best of his/her knowledge, title is in the assignee seeking to take action in this application and that he/she is empowered to act on its behalf.

ASSIGNEE: **PROCHON BIOTECH LTD.**

Signature: *Avner Yayon*
Date of Signature: Dec 16, 2003
Typed Name: Avner Yayon CEO, CSD ProChon Biotech
Position/Title: Authorized Signatory
Address: Kiryat Weizmann Science Park, PO Box 1482
76114 Rehovot Israel

ASSIGNMENT

WHEREAS, WE,

Myriam GOLEMBO, a citizen of Israel, residing
Moshav Netayim 113, 76870, Israel; and

Avner YAYON, a citizen of Israel, residing at
76834 Moshav Sitria #104, Israel.

ASSIGNORS, are the inventors of the invention **METHOD AND COMPOSITION
FOR TREATMENT OF SKELETAL DYSPLASIAS**, for which we have executed an
application for a Patent of the United States

- ☐ which is executed on even date herewith
- ☒ which is identified by Winston & Strawn Docket No. 81408-4100
- ☒ which was filed on September 15, 2003 as Application No. 10/664,605.

WHEREAS **PROCHON BIOTECH LTD.**, an Israeli corporate body having a place of
business at the Kiryat Weizmann Science Park, P.O. Box 1482, 76114 Rehovot Israel,
ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said
invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each
inventor in hand paid, and other good and valuable consideration, the receipt of which is
hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by
these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its
successors, legal representatives and assigns, their entire right, title and interest in, to and
under the said invention, and the said United States application and all divisions, renewals
and continuations thereof, and all Patents of the United States which may be granted thereon
and all reissues and extensions thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents
and Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors,
legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that they have the full right to
convey the entire interest herein assigned, and that they have not executed, and will not
execute, any agreement in conflict herewith;

And each ASSIGNOR hereby further covenants and agrees that they will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to them respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention;

And each ASSIGNOR hereby authorizes the ASSIGNEE's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed their signature.

Date 16/12/03, 2003 [Signature]
Myriam GOLEMBO

On Dec 16, 2003, 2003, before me, Lilly Glazer,
Witness, appeared **Myriam GOLEMBO**, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

[Signature]
Witness

Date Dec 16 2003, 2003 [Signature]
Avner YAYON

On Dec 16 2003, 2003, before me, Lilly Glazer,
Witness, appeared **Avner YAYON**, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

[Signature]
Witness

EXPRESS MAIL LIST

To:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



The following items listed below are being filed herewith with the USPTO on March 10, 2004

| Express Mail No. EV 346 810 630 US | | |
|---|-------------------------------|--|
| Attorney Docket No. | Appln. Serial No./ Patent No. | Items - Documents filed on March 10, 2004 |
| 81408-4300 | 10/664,605 | Response to Notice to File Missing Parts of Nonprovisional Application; Executed Inventors' Declaration (2 pages); Copy of Notice; Copy of Application; Executed Power of Attorney by Assignee w/copy of Executed Assignment; Executed Verified Statement Claiming Entity |

Please acknowledge receipt of these items as received by returning the enclosed postcards with the date of receipt of March 10, 2004

NY:846497.7